

City of Shannon Hills, Arkansas
Regular City Council Meeting
Jan 10, 2006

Mayor Davis called the meeting to order at 6:30pm.
Mayor Davis led the Pledge of Allegiance.

Roll Call: Present were Mayor Davis, Recorder-Treasurer Curt Wilson, City Attorney Patrick Benca, Aldermen Robin Baker, Mike Kemp, Bobby Riley, James Smith, and Dave Holsomback. Alderman Diane Everett was absent.

Minutes: Minutes for the Regular Council meeting of Nov 8, 2005 and the Special Meeting of Nov 15, 2005 were presented for approval. Alderman Holsomback made a motion that both minutes be approved as presented. A second was provided by Alderman Baker. The motion was approved by voice vote with no opposition.

Financial Report: Recorder-Treasurer Wilson reported that year-end activities were not yet complete and therefore the figures provided should not be final and accurate for year end.

General Fund:

Checking account	16,251.81
Reserve Account (Stephens)	49,302.54
Undeposited (approx.)	400.00
Payroll fund	256.00
Reader Board	561.82
Light Fund	253.00

Street Fund:

Checking Account	52,924.44
Reserve Account (Stephens)	34,017.15
Undeposited	193.66
	87,135.25

Court Clerk Fund	8,882.05
Bond & Fine Account	28,346.45

Mayor Davis noted that because the year-end totals are not complete, the final actual carry-over is not yet established. Therefore, the final vote on the 2006 budgets should be postponed until final figures are available.

Department Head reports:

Fire Dept: Fire Chief Aldridge had to leave but did submit a written report. Each council member received a copy and a copy is in the Department Head Reports Binder in the Records office for public review.

Police Dept: Police Chief Friend was present. He submitted a written report. Each council member received a copy and a copy is in the Department Head Reports Binder in the Records office for public review. Chief Friend did not add any additional comments.

Public Works: (Water & Street) David Passmore submitted a written report. Each council member received a copy and a copy is in the Department Head Reports Binder in the Records office for public review. Mr. Passmore indicated that the written report contained a section highlighting accomplishments for 2005, a section reporting activities for December 2005 and a financial summary reflecting year-end status.

Court Clerk Report: The Court Clerk submitted a written report. Each council member received a copy and a copy is in the Department Head Reports Binder in the Records office for public review.

Mayor Davis reported that he had an item that he forgot to place on the agenda and asked for a motion to suspend the rules and allow the item concerning Life Insurance to be added to the agenda.

Alderman Holsomback made a motion to suspend the rules and allow the issue to be added. Alderman Riley seconded the motion. The motion was approved by voice vote with no opposition.

Item 1: Municipal League Life Insurance for elected Officials.

Mayor Davis stated that since the City Council did not get paid that he felt that one thing the city could offer them is to participate in the Municipal league Life Insurance Program. The program is not available on an individual basis. In order to participate in the program every City Official has to accept the coverage. The City would have to pay Nine hundred dollars (\$900.00) to accept the coverage.

Alderman Kemp made a motion to table the issue until final figures for 2005 were available and the 2006 budget was finalized. Alderman Baker provided a second. The motion was approved by voice vote. There was no opposition.

Item 2:

State of the City Message:

Mayor Davis presented his Annual State of the City Message. The text of that message is made a part of these minutes as Attachment "A."

Item 3: Infringement of use of City Logo:

City Attorney, Patrick Benca, has been investigating the issue and gave a report on his findings. He stated that there was probably a good case for the city to pursue a breach of contract case against Mr. Hacker but the issue about Trademark or Logo use infringement was weak because there is no trademark or copyright on the item. Mr. Benca further stated that the cost of litigation may need to be considered and said that the probability of being awarded attorney's fees in a case of this type were remote.

Several minutes of discussion followed including comments from Mayor Davis, Attorney Benca, Mr. Hacker and several members of the council.

Alderman Riley made a motion that the issue be tabled until such time that a need to pursue it further arises, with the stipulation that Mr. Hacker relinquish all rights of use to the city and agree to cease and desist in the use of the logo. Alderman Holsomback seconded the motion. IN a roll call vote, Aldermen Riley, Smith, Holsomback and voted "yes." Alderman Kemp abstained and Alderman Everett was absent. The motion

was approved with 4 yes, 0 no, 1 abstain and 1 absent.

Item 4. Approval of salaries as set forth in the proposed 2006 budget.

Alderman Kemp moved that the salaries and wages as set forth in the proposed 2006 budget be approved so that the payroll scheduled for Friday Jan 13, 2006 can be produced without confusion. A second was provided by Alderman Baker. The motion was approved by voice vote with no opposition.

Item 5: Ordinance setting standards for Storm Water Runoff.

Alderman Kemp made a motion to suspend the rules and bring the Storm Water Runoff Ordinance to the floor for first reading, reading only the title.
The motion was approved by voice vote with no opposition

First Reading of Storm Water Runoff Ordinance:

Alderman Kemp Moved that the Storm Water Runoff ordinance be approved as presented. Alderman Baker provided a second. In a roll call vote Alderman Smith, Holsomback, Baker, Kemp and Riley voted "Yes." Alderman Everett was absent. The motion is approved with 5 yes , 0 no and 1 absent.

Item 6: Electrical Code ordinance:

A motion was made by Alderman Riley, with a second from Alderman baker to Table this issue. The motion was approved by voice vote with no opposition.

Comments:

Mayor Davis reminded everyone to get his or her annual financial disclosure statements turned in.

Citizen Miller asked if Shannon Hills was a First or Second class city. He was informed that the city was currently a city of the second class.

Fire Chief Mel Aldridge reminded the council that all city officials and employees had to complete a NIMS class before Jan 31 in order for the city to be eligible for any grants during 2006.

A Motion to Adjourn was made by Alderman Baker. A second was supplied by Alderman Riley. Motion was approved by voice vote with no opposition.

The Meeting Adjourned at 7:16pm.

Date: _____

Approved: _____
Larance Davis, Mayor

Attest: _____
Curt Wilson, Recorder-Treasurer